

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 20, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KAYLEEN DALTON S.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 1:22-CV-3158-RMP

ORDER GRANTING PARTIES'
STIPULATED MOTION TO
REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 16. Plaintiff Kayleen Dalton S.¹ is represented by attorney D. James Tree. The Commissioner of Social Security is represented by Special Assistant United States Attorney Ryan Lu.

¹ The Court uses Plaintiff's first name and last initial to protect her privacy.

1 After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated
2 Motion for Remand, **ECF No. 16**, is **GRANTED**. Plaintiff's Opening Brief, **ECF**
3 **No. 9**, is **DENIED AS MOOT**.

4 Pursuant to the parties' stipulation, the Commissioner's final decision is
5 **reversed and remanded** under sentence four of 42 U.S.C. §405(g). *See* ECF No.
6 16 at 1–3. On remand, the Appeals Council will refer the case to an Administrative
7 Law Judge ("ALJ") to:

- 8 • Reevaluate the persuasiveness of all medical opinions and prior
9 administrative findings, including the assessments of Gregory Swart,
10 ARNP, Kody Brandt, DPT, and the State agency reviewing medical
11 consultants, under the supportability and consistency factors of the
12 revised regulations;
- 13 • Continue the sequential evaluation, including reassessing Plaintiff's
14 residual functional capacity finding and, as necessary, obtaining
15 vocational expert evidence; and
- 16 • Offer Plaintiff the opportunity for a hearing, take further action to
17 complete the administrative record resolving the above issues, and issue
18 a new decision.

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